

is an effort, using judges as an excuse, not to move forward on appropriations bills. I think it is bad. It is bad policy. It is bad for the country, and I think it is shameful.

Mr. President, I end by saying global leadership means acting as a leader. We have tried to support the President's priorities in every facet of his campaign against terrorism. We have maintained a steady schedule of hearings and have confirmed twice as many judges as in the same period of time during the previous two administrations, even though we have been in control only 4 months.

Alongside the added imperative of passing the antiterrorism bill, we have continued to hold hearings on judicial nominations and bring them to the Senate floor. At a time when we have tried to support the President's priorities in every way, it is unfortunate that so soon after September 11 the Republican leadership seems to care more, in this case, about its partisan political priorities.

That is what is happening, plain and simple. Of all times to be holding up the business of the Senate and this country, when our office buildings are closed because of anthrax and the U.S. military is fighting half a world away, it is more obvious than ever that the U.S. influence is needed around the world. It is petty, shortsighted, and dangerous. We can have the best foreign policies, but without the funds to implement them, what good are they?

I hope my friends on the other side of the aisle will take a different approach today. It appears, though, they are not going to vote to proceed to this bill.

The PRESIDING OFFICER (Mr. CARPER). Who seeks time?

The Senator from Kentucky.

Mr. McCONNELL. Mr. President, is there time remaining on this side?

The PRESIDING OFFICER. All time has expired on your side. There is 1 minute 15 seconds on the Democratic side, the majority side.

Mr. REID. Mr. President, I yield back that time and ask that the vote proceed.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to H.R. 2506, the Foreign Operations Appropriations bill:

Pat Leahy, Harry Reid, Tom Daschle, Ben Nelson of Nebraska, Kent Conrad, Zell Miller, Byron L. Dorgan, Russell D. Feingold, Paul Wellstone, Joseph Lieberman, Debbie Stabenow, Bill Nelson of Florida, Max Cleland, Patty Murray, Mark Dayton, Jack Reed, Barbara Mikulski, Herb Kohl.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under the rule is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2506, an act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. STEVENS (when his name was called). Present.

Mr. NICKLES. I announce that the Senator from Oklahoma (Mr. INHOFE) and the Senator from Ohio (Mr. VOINOVICH) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 47, as follows:

1[Rollcall Vote No. 306 Leg.]

YEAS—50

Akaka	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Edwards	Mikulski
Biden	Feingold	Miller
Bingaman	Feinstein	Murray
Boxer	Graham	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Reed
Cantwell	Inouye	Reid
Carnahan	Jeffords	Rockefeller
Carper	Johnson	Sarbanes
Cleland	Kennedy	Schumer
Clinton	Kerry	Stabenow
Conrad	Kohl	Torricelli
Corzine	Landrieu	Wellstone
Dayton	Leahy	Wyden
Dodd	Levin	

NAYS—47

Allard	Ensign	McConnell
Allen	Enzi	Murkowski
Bennett	Fitzgerald	Nickles
Bond	Frist	Roberts
Brownback	Gramm	Santorum
Bunning	Grassley	Sessions
Burns	Gregg	Shelby
Campbell	Hagel	Smith (NH)
Chafee	Hatch	Smith (OR)
Cochran	Helms	Snowe
Collins	Hutchinson	Specter
Craig	Hutchison	Thomas
Crapo	Kyl	Thompson
Daschle	Lott	Thurmond
DeWine	Lugar	Warner
Domenici	McCain	

ANSWERED "PRESENT"—1

Stevens

NOT VOTING—2

Inhofe Voinovich

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47, and 1 Senator responded "present." Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. DASCHLE. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to H.R. 2506, the foreign operations appropriations bill.

The PRESIDING OFFICER. The motion is entered.

Mr. DASCHLE. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I am increasingly concerned about the situation. We have sent two appropriations

bills to the President for his signature, which leaves us with 11 appropriations bills to go. Several of these appropriations bills are in conference between the two Houses. Of course, the situation affecting the conferences is one that is well known, but I would hope that we could find a way to break this logjam in the Senate and get these appropriations bills moving.

We are well into our third CR. It is now October 23. Thanksgiving is fast approaching, and what do the American people see in this Senate? We appear to be dallying. We have work to do. We have a very emergent situation in this country. People look to us for leadership.

Why can we not get on with our Appropriations Committee work? I would like for someone to tell me. I am waiting for an answer. We have appropriations bills that are ready to go, and I beg my colleagues to let us get on with the appropriations bills. If we cannot move forward on the foreign ops bill, let us try to move forward on some other appropriations bill. There are others awaiting action.

Mr. STEVENS. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I voted "present" because, as a partner of my good friend from West Virginia in Appropriations, we do not have time for any further delay. The Agriculture bill would be acceptable, as far as I am concerned. I have not checked with our leader, but I do think the Senate should move forward on another bill as soon as possible. We are very constrained because of the loss of our physical facilities in Dirksen. There are some bills that could move forward in the interim.

I have said before that in my judgment we have to get these bills to the President by November 6 if we are going to be able to leave by November 16 for Thanksgiving because the President must have his 10 days to review the bill. Hopefully, there will not be any vetoes, but it is possible.

I join the Senator from West Virginia in urging the joint leadership to find a way to allow us to take up another bill. I do believe the Agriculture bill is ready, and it is possible we could move on it very rapidly. I am hopeful we will find a spirit of comity and find a way to limit amendments on these bills and let us catch up.

The problem with the conferences is the House facilities are still tied up by the investigations concerning anthrax, but I hope we can find some way to handle that, too.

I do not believe these are crime scene investigations that are necessary to determine whether anthrax is present and might threaten our people, which is one thing, but to deter us from going about our business because someone might call our facilities crime scenes, I think is wrong. I thank the President of the Senate for yielding to me.